

**FILED**

DEC 30 2002

PRESENT: HONORABLE DANA L. RASURE  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OKLAHOMA

MICHAEL L. WILLIAMS, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF OKLAHOMA

IN RE: CHRISTOPHER HEROLD AND  
MENDIE HEROLD,

Debtors.

Case No. 02-03149-R

Chapter 7

FIRST NATIONAL BANK OF OMAHA  
P.O. Box 3437  
Omaha, Nebraska 68103,

Plaintiff,

A.P. No. 02-0204-R

v.

CHRISTOPHER HEROLD AND  
MENDIE HEROLD  
6913 N. Dotson Drive  
Sand Springs, OK 74063,

Defendants.

Recipient Shall Receive Notice  
Proper Parties and File Certificate of  
Service Reflecting Such Notice.

**CONSENT JUDGMENT EXCEPTING DEBT FROM DISCHARGE**

First National Bank of Omaha, by its attorney, Robert S. Cooper, Esq., having filed an Adversary Proceeding seeking an Order pursuant to 11 U.S.C. §523(a)(2)(A), determining that the Defendants' indebtedness to the Plaintiff is an exception to discharge, with interest from July 1, 2002, plus the Plaintiff's costs and disbursements incurred for the collection of this debt and of this action, and for such other and further relief as to the Court seems just and proper, and the above-mentioned parties having subsequently entered into negotiations resulting in the agreement set forth herein, and the Defendants, and the Plaintiff's attorney, having consented to the entry of this Judgment, and upon all papers and proceedings had

herein, and after due deliberation, it is hereby

**ORDERED, DECREED, AND ADJUDGED** as follows:

1. Judgment be entered in favor of the Plaintiff and against the Defendants in the sum of \$8,087.73, plus interest at the annual rate of 9% from July 1, 2002, plus the costs and disbursements of this action in the amount of \$150.00,

2. The Judgment, including the principal amount and interest, shall be nondischargeable pursuant to 11 U.S.C. §523(a)(2)(A), and will survive any Order of discharge in this case,

3. Execution of said Judgment shall be stayed unless and until the Defendants fail to pay to the Plaintiff the sum of \$6,500.00 (without interest), payable at \$125.00 a month, with the first payment being due on January 1, 2003, and each subsequent payment being due by the first day of each and every month thereafter until the entire amount set forth in this paragraph has been paid in full; Although the due date for each monthly payment is the first day of each month, the Defendants shall have until the fifteenth day of each month to make the monthly payment; The Defendants shall have the right to prepay at any time, without penalty, the unpaid balance of the settlement amount set forth in this paragraph,


4. Payment of the sums specified in paragraph 3 above, shall be made payable to "Robert S. Cooper, Esq., as Attorney for First National Bank of Omaha", with the account numbers "4418-1190-0015-8382 and 4418-4091-6002-7265" written on each check, and payments shall be sent to: Robert S. Cooper, Esq., 1425 Jefferson Road, Rochester, New York 14623,

5. If the Defendants fail to make any of the payments within

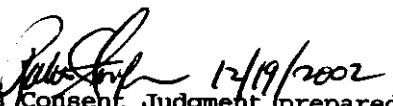
fifteen days of the dates specified in paragraph 3 above, the Stay of Execution shall be immediately dissolved, and the Plaintiff may forthwith seek to execute upon the total amount of the Judgment, less any payments actually made, using all lawful processes, and

6. If the Defendants make all payments specified in paragraph 3 above, the Judgment will be satisfied in full.


DATED: Dec 30, 2002

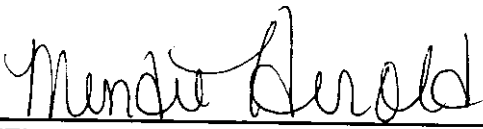
  
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HONORABLE DANA L. RASURE  
UNITED STATES BANKRUPTCY JUDGE  
NORTHERN DISTRICT OF OKLAHOMA

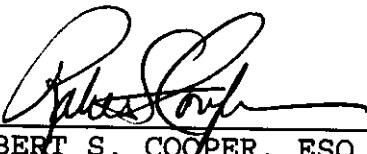
ENTER

  
This Consent Judgment prepared by:  
Robert S. Cooper, Esq., RC0986  
Attorney for Plaintiff  
1425 Jefferson Road  
Rochester, New York 14623  
Telephone: 585-292-1920  
Facsimile: 585-292-1925

The parties having reviewed the above-mentioned Judgment, consent to this Court entering this Judgment as settlement of this Adversary Proceeding.

 12/22/02  
CHRISTOPHER HEROLD DATE  
DEFENDANT

 12/22/02  
MENDIE HEROLD DATE  
DEFENDANT

 12/19/2002  
ROBERT S. COOPER, ESQ., RC0986 DATE  
ATTORNEY FOR FIRST NATIONAL BANK OF OMAHA